

REMARKS

Reconsideration of this application, as amended, is respectfully requested.

This application has been reviewed in light of the Office Action of the United States Patent and Trademark Office dated July 26, 2005. Claim 8 is currently pending in the application. As indicated above, Claims 1-7 have been cancelled without prejudice.

In the Office Action, Claims 1, 3, 4, and 8 were rejected under 35 U.S.C. §102(e) as being anticipated by *Tiedmann et al.* (U.S. 6,246,673), and Claims 2 and 5-7 were rejected under 35 U.S.C. §103(a) as being unpatentable over *Tiedmann* in view of *Wheatley et al.* (U.S. 6,307,840).

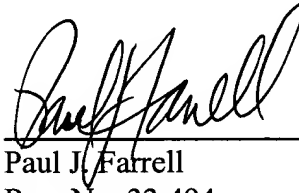
As indicated above, independent Claim 8, i.e., the remaining independent claim, has been rejected under 35 U.S.C. §102(e) as being anticipated by *Tiedmann*. More specifically, the Examiner asserts that *Tiedmann* teaches all the recitations of Claim 8. However, it is respectfully submitted that the Examiner is incorrect.

More specifically, Claim 8 recites a switch for switching the received signal between the async and sync demodulation modules. The Examiner cites column 7, lines 62-63 of *Tiedmann* as teaching this recitation. However, it is respectfully submitted that there is no teaching of a mobile station device comprising a switch for switching the received signal between the async and sync demodulation modules in this or any other section of *Tiedmann*, which is required in an anticipation rejection. Therefore, it is respectfully submitted that the Examiner is incorrect in rejecting Claim 8 and it is respectfully requested that the rejections of Claim 8 be withdrawn.

Accordingly, as Claims 1-7 have been cancelled without prejudice, it is respectfully submitted that the rejections of these claims are moot.

In view of the preceding amendments and remarks, it is respectfully submitted that all pending claims, namely Claim 8 is in condition for allowance. Should the Examiner believe that a telephone conference or personal interview would facilitate resolution of any remaining matters, the Examiner may contact Applicants' attorney at the number given below.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Paul J. Farrell", is written over a horizontal line.

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